

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

(1) JULIE KATHRYN HUTCHINGS,	§	
Individually and on behalf of THE	§	
ESTATE OF MICHAEL H.	§	
HUTCHINGS;	§	
(2) KIMBERLY ANNE HUTCHINGS	§	
as next friend of MADISON EVE	§	No. 2:13-cv-00246-JRG-RSP
HUTCHINGS and ANNA MARIE	§	
HUTCHINGS; and	§	Jury Trial Requested
(3) MAURY SHANE HUTCHINGS	§	
	§	
Plaintiffs	§	
	§	
vs.	§	
	§	
(1) UNITED PARCEL SERVICE, INC.;	§	
and	§	
(2) ALBERT RAY SMITH	§	
	§	
Defendants		

ORDER APPROVING SETTLEMENT

On May 22, 2014 the Court held a hearing to consider the Parties request to settle the claims of minors Anna Marie Hutchings and Madison Eve Hutchings against Defendants Albert Ray Smith and United Parcel Service, Inc. The Court understands that this Order has been approved by counsel for all parties.

D. Scott Carlile, called the minors' mother, Kimberly Hutchings to testify. Ms. Hutchings was also questioned by counsel for the Defendants, Samuel Polak, and the court-appointed guardian ad litem, Bonnie Leggat Hagan and Joy Spencer Berry. The Court reviewed the file, considered the confidential reports of each guardian ad litem, and evaluated the terms of the proposed settlement agreement.

Based on the evidence considered, the Court finds that the proposed settlement is fair, just, and in the best interest of Anna Marie Hutchings and Madison Eve Hutchings. The Court therefore GRANTS the motion to approve the settlement.

The Court ORDERS the Defendants to purchase a structured settlement for the benefit of Anna Marie Hutchings and Madison Eve Hutchings with the net proceeds of the confidential settlement agreed to by the Parties.

The Court approves the attorney's fees and case expenses requested by D. Scott Carlile and ORDERS the Defendants to submit payment to The Carlile Law Firm, LLP within 14 days from the date of this order.

Finally, the court approves the stipulated ad litem fees requested by Bonnie Leggat Hagan and Joy Berry and ORDERS the Defendants to submit to Mrs. Hagan payment of \$15,000.00 and Mrs. Berry payment of \$15,000.00 within 14 days from the date of this order.

SIGNED this 17th day of June, 2014.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE